

Thank God, we have accomplished it. No man now can rise before this Convention and undertake to question for an instant that there is an overwhelming majority in favor of that right of suffrage. And I tell you now, sir, and honorable members of this Convention, who stood with us upon the subject of electing judges by the people, I would not give a rush for the power—I would give it back gladly—if we are to be denied the power of re-eligibility. The well-being of this system depends upon starting it right; upon your electing the proper class of officers in the first place. And when do you suppose, as my friend from Prince George's (Mr. Tuck) has just now intimated, that you will ever be able to get a man fit to preside upon the bench in a court of justice, when at the time you ask him for his services, you tell him, Sir, if you shall show hereafter that we have fixed a right estimate upon you, and that you are, in point of fact, worthy of the place in which we place you, still at the end of ten years you shall return to the ranks of private life, and it may be to indigence itself. He would scorn the proposition. He would be justly indignant at being called on to forsake his professional pursuits for a seat on the bench, when he is to be told that, however faithful and competent he may show himself to be, he is to be dismissed at the end of one term.

Every body here loves the people, the dear people, and no body has indicated that love for the people in more measured terms than my friend from Dorchester, (Mr. Hicks.) But however great your love may be, you, who set yourselves up *par excellence*, as loving the people, it does not exceed mine. I propose to test that fact. I propose to see whether yours is a mere profession, or whether you are prepared to practice it to the end. We call upon the sovereign people upon a particular occasion to elect a judge. They elect him. The judge is an able, honorable and virtuous gentleman, who bows to no sinister influences, is led off by no false inducement, abates no job of heart or hope, but still bears up and steers right on to that which he believes to be right. Nine years of the ten for which we have elected him have expired, and his constituents become anxious to know what is to be the fate of that upright judge. All men with one voice proclaim that he is the favorite of the people, not because he has electioneered with them, not because he has truckled to low behests, but because he has acted with uprightness, independence and propriety. We say that we so far love the people as to confide in them the power to elect that faithful officer. But the honorable gentlemen upon the other side say—our love does not go quite to that extent. We think we love them well enough to try whether or not they can make a good selection in the first place; but if they prove that, if they have made a good selection of a faithful and honest officer, we do not love them well enough to let them go on to re-elect him. There is the difference between the honorable gentleman from Dorchester and myself.

I am willing to carry out the experiment. In the first instance, it is but an experiment.

But observe to what consequences this may lead. We are to go into the community to look for judges. We are to elect men upon trust. If the elected judge turns out ill, at the end of the ten years he ceases to be judge; but if he turns out well, we are not only desirous to retain him, but retain the right to retain him. The gentleman is willing that the people should make the experiment in the first place, and select a man and place him upon trial, but if he turns out well he is not to retain the place. On the other hand if he proves a valuable officer, we would say to him, in the language referred to by my honorable colleague, (Mr. Howard,) "Well done, good and faithful servant;" while, if he be untrue to us and prove derelict to duty, we say to him, "Depart into outer darkness." Our love for the people would induce us to allow them to enjoy the advantage of a re-election, if the just experiment should succeed. Now let us see whether my friends over the way or myself are the most ardent in our love for the people.

I said that I did not propose to take up your time. I have said more than I intended. I do not like to differ from my friend on my left, (Mr. Howard,) but I cannot possibly agree with him. He seems to think that because there may be other men in a particular district competent to preside in a court of justice, we should turn out the incumbent. Why should you be uneasy upon the subject? says my friend, is there but one honest man to be a judge in a particular district? But when you have fairly elected fit men, and when he is actually performing the judicial functions, why should you turn out a tried and faithful servant, and go about groping in the dark for one who may not be near so good? I do not mean to say that there is not one suitable man, or that there may not be forty. But when you have a judge you know to be in every way fitted for the office, there is a risk in throwing him aside. And why run off after strange gods? Why should my friend anticipate danger, from the fact that there may be a dozen other fit persons for judges in the neighborhood, quite equal to the man presiding? We have one known, tried man, and there is no necessity for going off in search of others.

I have done; but before I close, I must tender my thanks to the gentleman from Anne Arundel, (Mr. Dorsey,) for allowing me [laughter] to close. Ah, I see the honorable gentleman is not in his seat. I was going to thank him for allowing me to conclude without interruption. This is the first time, I think, in which I have got so far on without being interrupted at least four times; and I have sometimes thought that my friend from Kent (Mr. Chambers) was too much given to this practice; but no more of this. If the Convention will pardon me, I will make a remark or two in reference to the judiciary.

I have no feeling of animosity toward any member of the bench of Maryland, and if I had, I would scorn to avail myself of my position here to give vent to it. I am on terms of intimacy and friendly intercourse with many of the judges,